

70C-8-202 Notification.

- (1)
- (a) A party who is subject to this part shall file notification with the department at least 30 days before commencing business in this state.
 - (b) After filing the notification required by Subsection (1)(a), a party shall file a notification on or before January 31 of each year.
 - (c) A notification required by this Subsection (1) shall:
 - (i) state the name of the party;
 - (ii) state the name in which the business is transacted if different from that required in Subsection (1)(c)(i);
 - (iii) state the address of the party's principal office, which may be outside this state;
 - (iv) state the address of:
 - (A) each office or retail store, if any, in this state at which credit is offered or extended to a consumer; or
 - (B) in the case of a party taking an assignment of an obligation, each office or place of business within this state at which business is transacted;
 - (v) if credit is extended to a consumer other than at an office or retail store in this state, state a brief description of the manner in which the credit transaction occurs;
 - (vi) state the name and address in this state of a designated agent upon whom service of process may be made;
 - (vii) submit evidence satisfactory to the commissioner that the person is authorized to conduct business in this state as a domestic or foreign entity pursuant to filings with the Division of Corporations and Commercial Code under Title 16, Corporations, or Title 48, Partnership - Unincorporated Business Entities; and
 - (viii) provide any other information considered pertinent by the department.
- (2) If information in a notification becomes inaccurate after filing, a party is not required to file further notification until required to renew the party's notification.
- (3)
- (a) A party who fails to file a notification or pay a fee required by this part may not extend credit to a consumer in this state until the party fully complies with this part.
 - (b) A party who willfully violates this Subsection (3) is guilty of a class B misdemeanor.

Amended by Chapter 73, 2013 General Session